IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.438 OF 2005

Nandakumar Wamanrao Dombe ...Petitioner
V/s.
Sunanda Nandkumar Dombe & Ors. ...Respondents

Shri. Tejesh Dande for the Petitioner.
Ms. Rajshree Gadhvi A.P.P. for the Respondents.

CORAM : A.S. OKA, J.
DATED : JULY 06, 2005.

P.C.:

1. The challenge in this Petition under Art.227 of the Constitution of India and Section 482 of the Criminal Procedure Code, 1973 is to the order dated 1st March, 2003 by which the learned Magistrate has directed the Petitioner-husband to pay maintenance to the Respondent No.1-wife and the Respondent Nos.2 to 4 who are minor children of the Petitioner. Without disputing the fact that remedy of approaching the Sessions Court by way of revision was available to the Petitioner, the learned Counsel for the Petitioner submitted that the revision application sought to be filed by the Petitioner was not accepted by the Sessions Court. There is no factual foundation to the said assertion in the memorandum of Writ Petition. It is very difficult to accept that the Sessions Court has not accepted the Revision Application sought to be preferred by the Petitioner.

2. As remedy of approaching the Sessions Court is available to the Petitioner, this Writ Petition is not entertained and is dismissed accordingly.

JUDGE